



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/077,933	02/20/2002	Fujihito Numano	04329.2736	7099

7590 06/15/2004

Finnegan, Henderson, Farabow,
Garrett & Dunner, L.L.P.
1300 I Street, N.W.
Washington, DC 20005-3315

EXAMINER

NGUYEN, ANH T

ART UNIT	PAPER NUMBER
----------	--------------

2174

DATE MAILED: 06/15/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/077,933

Applicant(s)

NUMANO, FUJIHITO

Examiner

Anh T Nguyen

Art Unit

2174

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 February 2002.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-25 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-25 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 February 2002 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date 12/29/03 and 2/20/
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Oath/Declaration

1. The oath or declaration is missing. A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and filing date is required.

(a) An oath or declaration filed under § 1.51(b)(2) as a part of a nonprovisional application must:

(1) Be executed, i.e., signed, in accordance with either § 1.66 or § 1.68. There is no minimum age for a person to be qualified to sign, but the person must be competent to sign, i.e., understand the document that the person is signing;

(2) Identify each inventor by full name, including the family name, and at least one given name without abbreviation together with any other given name or initial;

(3) Identify the country of citizenship of each inventor; and

(4) State that the person making the oath or declaration believes the named inventor or inventors to be the original and first inventor or inventors of the subject matter which is claimed and for which a patent is sought.

(b) In addition to meeting the requirements of paragraph (a) of this section, the oath or declaration must also:

(1) Identify the application to which it is directed;

(2) State that the person making the oath or declaration has reviewed and understands the contents of the application, including the claims, as amended by any amendment specifically referred to in the oath or declaration; and

(3) State that the person making the oath or declaration acknowledges the duty to disclose to the Office all information known to the person to be material to patentability as defined in § 1.56.

(c) Unless such information is supplied on an application data sheet in accordance with § 1.76, the oath or declaration must also identify:

(1) The mailing address, and the residence if an inventor lives at a location which is different from where the inventor customarily receives mail, of each inventor; and

(2) Any foreign application for patent (or inventor's certificate) for which a claim for priority is made pursuant to § 1.55, and any foreign application having a filing date before that of the application on which priority is claimed, by specifying the application number, country, day, month, and year of its filing.

Drawings

2. The drawings are objected to as failing to comply with 37 CFR 1.84(p)(4) because of the following minor informalities:

a) Fig. 3: reference characters "18" has been used to designate the jog device while on page 4, line2 of the disclosure designates reference character "15" as the jog device

b) Fig.10: "Message chancel time" should be changed to --Message cancel time--

- c) Fig.12: "Low battery enent D1" should be changed to --Low battery event D1--
- d) Fig.21, S31: "Dispaly status" should be changed to --Display status-- and
S33: " Display tilte" should be changed to --Display title--
- e) Fig.24, S43: "envent" should be changed to --event--
- f) Fig.26, S52: "new arrival nail" should be changed to --new arrival mail--and
S64: "Dispaly status" should be changed to -- Display status—
- g) Fig.28: "sigle" should be changed to --single--

Appropriate corrections are required.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claims 2, 4, 8 and 16 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Claim 2 recites, "a designation device designating display modes of messages to be displayed on the sub-display every messages". This phrase is indefinite for the following reasons: a) it is unclear what the designation device is and how it designates the display modes since there is no support of such device in the specification and b) it is unclear whether applicant intends that every message will be displayed at the designated display mode.

Claim 4 recites, "contents of the message every messages on the main display". This phrase is indefinite because it is unclear whether applicant intends the setting of the display time and contents of the message to be the same for every message.

Art Unit: 2174

Claim 8 recites, "the detected information to be notified of user on the sub-display where the open/close state detecting device detects that the main display is closed with respect to the main body instead of the name of the application program displayed on the sub-display and displays the detected information to be notified of user on the main display where the open/close state detecting device detects that the main display is opened with respect to the main body". This phrase is indefinite because it is unclear whether applicant intends the displayed information to notify the user on the sub-display or main display with respect to the open/close state or whether applicant intends that the detected information to be notified of whether the user opens/closes the cover of the portable computer.

Claim 16 recites, "displays the detected information to be notified of user on the main display". This phrase is indefinite because it is unclear what is being notified of the user unless applicant's intended meaning is to have information notified to the user.

For the purposes of applying prior art, the examiner will make the best effort to interpret the claims in light of the specification.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 9-11, and 16 are rejected under 35 U.S.C. 102(b) as being anticipated by Hollon, Jr. ("Hollon", US 5,768,164).

As per claim 9, Hollon discloses a portable information apparatus comprising: a main display (Fig.1, *display 20*); a sub-display provided independently of the main display (Fig.2, *spontaneous use display 39*); an operation device generating a plurality of types of events (Fig.9, *input/output controller 91*), and a display control device displaying a name of an application program to be started on the sub-display in response to an event for changing the name of application program from the operation device instead of a name of other application program to be started displayed on the sub display in one of a power OFF state, sleep state, and main display OFF state (Fig.8, *video controller 83*, col.3, lines 34-49; col.1, lines 20-29, *sleep or hibernation mode*).

As per claims 10, Hollon discloses wherein an application corresponding to the name of application to be started displayed on the sub-display is started in response to an event for starting by the operation device (Fig.7, col.3, lines 5-22, *applications using spontaneous use display*).

As per claim 11, Hollon discloses wherein the display control device, in the power OFF state, sleep state, and main display OFF state, normally displays information representing a state of the portable information apparatus on the sub-display and if an event for displaying the name of the application program to be started is generated from the operation device, the display control device displays the name of the application program to be started on the sub-display (Fig.6, col.3, lines 14-16, *reports current status of portable computer*; col.1, lines 20-29, *sleep or hibernation mode*).

As per claim 16, Hollon teaches wherein when the display device displays the detected information to be notified of user on the main display, a new window to display the information to be notified of user is opened (Fig.1, *section 21 of display 20*, col.2, lines 45-48).

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

8. Claims 1, 3-7, 12-14, 17-18, 21, and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hollon, Jr. ("Hollon", US 5,768,164).

As per claim 1, Hollon teaches a portable information apparatus comprising: a main display (Fig.1, *display 20*); a sub-display provided independently of the main display (Fig.2, *spontaneous use display 39*); a detection device detecting an operating state of the portable information apparatus (Fig.6, col.3, lines 14-16, *reports current status of portable computer*) and a display control device (Fig.8, col.3, lines 34-41, *display 20 is controlled by a video controller 83*).

Hollon does not specifically teach displaying a message indicating an abnormal state of the portable information apparatus on the sub-display when the detection device detects the abnormal state of the portable information apparatus. Official Notice is taken that status indicators are used to indicate normal as well as abnormal conditions of a device such as a low

Art Unit: 2174

battery state or system abnormality. It would have been obvious to an artisan to include the display of status indicators so that the user can readily identify operational information status of a portable device.

As per claim 3, while Hollon teaches the display control device for displaying contents displayed on the sub-display before the message is displayed (Fig.8, col.3, lines 34-41, *display 20 is controlled by a video controller 83*), Hollon does not specifically teach wherein the display control device re-displays contents displayed on the sub-display before the message is displayed, when a predetermined time has passed after the message is displayed on the sub-display. Official Notice is taken that the iteration of the re-displaying step is well known in the art. It would have been obvious to an artisan at the time of the invention to combine the step of re-displaying with Hollon's teaching because it is advantageous to the user to be informed by providing the user with a reliable reminder of the status of the portable computer.

As per claim 4, Hollon teaches the invention substantially as claimed. However, Hollon does not specifically teach a display device displaying a setup window used to set at least one of a display time and contents of the message every messages on the main display, and wherein the display control device displays the message on the basis of a setup value set on the setup window, corresponding to the message, on the main display. Official Notice is taken that the use of setup windows for designating time intervals for displaying messages relating to status changes and/or events is well known in the art. It would have been obvious to an artisan at the time of the invention to combine the use of setup windows with Hollon's teaching because it provides automatic notification to the user within preset time intervals.

As per claim 5, Hollon teaches wherein the sub-display is provided at a position of a main body of the portable information apparatus where the sub-display is externally observable even when the main display is closed with respect to the main body (Abstract, *spontaneous use display visible to a user even when the portable computer is closed*).

As per claim 6, Hollon teaches wherein the sub-display is provided at a front end of the main body (Fig.2, *spontaneous use display 39*, col.2, lines 51-59).

As per claim 7, Hollon teaches wherein the sub-display is provided at a rear end of the main body (Fig.1, *section 21 of display 20*, col.2, lines 35-45).

Claim 12 is similar in scope to claim 3 and therefore is rejected under similar rationale.

Claim 13 is similar in scope to claim 1, and therefore rejected under similar rationale.

Claim 14 is similar to claim 5 and therefore is rejected under similar rationale.

Claim 17 is similar in scope to claim 6 and therefore is rejected under similar rationale.

Claim 18 is similar in scope to claim 7 and therefore is rejected under similar rationale.

Claim 21 is similar in scope to claim 3 and therefore is rejected under similar rationale.

Claim 25 is similar in scope to claim 3 and therefore is rejected under similar rationale.

9. Claims 2 and 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hollon, Jr. ("Hollon", US 5,768,164) in view of Hirai et al. ("Hirai", US 6,385,466).

As per claim 2, while Hollon teaches a portable information apparatus (Fig.1, *Abstract*), Hollon does not specifically teach the display modes of messages to be displayed on the sub-display every messages, and wherein the display control device displays the message indicating the abnormal state of the portable information apparatus on the sub-display on the basis of the display mode corresponding to the message indicating the abnormal state of the portable information apparatus designated by the designation device. Hirai discloses a portable device in which display modes of messages are to be displayed (col.1, lines 4-8, *transmission of various types of information items by using backlight colors of display means*), and wherein the display control device displays the message indicating the abnormal state of the portable information apparatus on the sub-display on the basis of the display mode corresponding to the message indicating the abnormal state of the portable information apparatus designated by the designation device (col.2, lines 40-51, *user instantaneously ascertain voltage level of battery from the change of color of display*). It would have been obvious to an artisan at the time of the invention to combine Hirai's teaching with the apparatus of Hollon because it allows the user to instantaneously ascertain information without reading characters or figures which are indicated on the display (col.1, line 66- col.2, line 2).

Claim 20 is similar in scope to claim 2 and therefore is rejected under similar rationale.

10. Claim 8 and 15 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hollon, Jr. ("Hollon", US 5,768,164) in view of Hirai et al. ("Hirai", US 6,385,466).

As per claim 8, while Hollon teaches a portable information apparatus (Fig.1, *Abstract*), Hollon does not specifically teach an open/close state-detecting device. Nishiyama teaches a portable electronic apparatus having a partial display function with an open/close detector

Art Unit: 2174

detecting an open/close state of the main display with respect to the main body, wherein the display control device displays the detected information to be notified of user on the sub-display where the open/close state detecting device detects that the main display is closed with respect to the main body instead of the name of the application program displayed on the sub-display and displays the detected information to be notified of user on the main display where the open/close state detecting device detects that the main display is opened with respect to the main body (col.4, lines 63-67, *message displayed depending on open/close state*). It would have been obvious to an artisan at the time of the invention to combine Nishiyama's teaching with Hollon's apparatus to alert the user of operating status of the portable apparatus.

Claim 15 is similar to claim 8 and therefore is rejected under similar rationale.

Conclusion

11. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Hollon, Jr (US 5,768,164) teaches spontaneous use display for a computing system.

Hirai et al. (US 6,385,466) teaches a portable terminal device.

Nishiyama et al. (US 5,710,576) teaches a portable electronic apparatus having partial display function.

Jacobs et al. (US 6,073,187) teaches controls and indicators available to a user for a secondary operational mode of a portable computer which is open or closed state of the computer case.

Koshika (US 6,404,623) teaches portable electronic apparatus.

Art Unit: 2174

Chin (US 6,670,950) teaches portable computer and method using an auxiliary LCD panel having a touch screen as a pointing device.

Inquiries

12. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anh Nguyen whose telephone number is (703) 305-8649. The examiner can normally be reached on Monday - Friday from 7:00 am to 4:00 pm (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid, can be reached on (703) 308-0640.

The fax number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 305-3900.

Anh T Nguyen
Examiner
Art Unit 2174

Kristine Kincaid
KRISTINE KINCAID
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100